

Notice of Allowability

Application No.

09/996,131

Applicant(s)

SWEITZER ET AL.

Examiner

Leslie Wong

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/18/2005.
2. ☒ The allowed claim(s) is/are 1,3,5-8,10,12-14,16 and 18-23 and now renumbered as 1-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>08/01/2005</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

Claims 1, 3, 5-8, 10, 12-14, 16, and 18-23 are allowed.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Joseph T. Van Leeuwen on January 5, 2006.

The application has been amended as follows:

Cancel claims 4, 11, and 17.

Replace claims 1, 8, and 14 with the following:

1. (currently amended) A method of developing topography based management systems, said method comprising:
analyzing a topography design corresponding to a topography;
identifying one or more topography requirements based on the analysis;

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creating topography components corresponding to the identified topography requirements, wherein each of the components is adapted to interoperate with one or more operating environments, and wherein at least one of the components is a topography neutral application component that is adapted to interoperate with more than one topography; and

storing component data in a topography data store, the component data describing one or more of the components, wherein the component data includes one or more fields selected from the group consisting of a component identifier, a target platform, a development environment, a control model, a topography scale, a management style, a component dependency, a component placement, a component packaging data, a component bundling data, a component build option, and a component runtime option.

8. (currently amended) An information handling system comprising:
- one or more processors;
 - a memory accessible by the processors;
 - one or more nonvolatile storage devices accessible by the processors;
 - a topography development tool to develop a topography on one or more client computer systems, the topography development tool including:
 - means for analyzing a topography design corresponding to a topography;
 - means for identifying one or more topography requirements based on the analysis;
 - means for creating topography components corresponding to the identified topography requirements, wherein each of the components is adapted to interoperate with one or more operating environments, and wherein at least one of the components is a topography neutral application component that is adapted to interoperate with more than one topography; and
 - means for storing component data in a topography data store, the component data describing one or more of the components, wherein the component data

includes one or more fields selected from the group consisting of a component identifier, a target platform, a development environment, a control model, a topography scale, a management style, a component dependency, a component placement, a component packaging data, a component bundling data, a component build option, and a component runtime option.

14. (currently amended) A computer program product stored in a computer storage ~~operable~~ media for analyzing a topography design, said computer program product comprising:

means for analyzing a topography design corresponding to a topography;

means for identifying one or more topography requirements based on the analysis;

means for creating topography components corresponding to the identified topography requirements, wherein each of the components is adapted to interoperate with one or more operating environments, and wherein at least one of the components is a topography neutral application component that is adapted to interoperate with more than one topography; and

means for storing component data in a topography data store, the component data describing one or more of the components, wherein the component data includes one or more fields selected from the group consisting of a component identifier, a target platform, a development environment, a control model, a topography scale, a management style, a component dependency, a component placement, a component packaging data, a component bundling data, a component build option, and a component runtime option.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Prior art of record fails to teach a combination of elements creating topography components corresponding to the identified topography requirements, wherein each of the components is adapted to interoperate with one or more operating environments, and wherein at least one of the components is a topography neutral application component that is adapted to interoperate with more than one topography and wherein the component data includes one or more fields selected from the group consisting of a component identifier, a target platform, a development environment, a control model, a topography scale, a management style, a component dependency, a component placement, a component packaging data, a component bundling data, a component build option, and a component runtime option as recited in independent claims 1, 8, and 14 and argued by the Applicants.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie Wong whose telephone number is (571) 272-4120. The examiner can normally be reached on Monday to Friday 9:30am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CHARLES RONES can be reached on (571) 272-4085. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Leslie Wong
Primary Patent Examiner
Art Unit 2164

LW
January 5, 2006